

*Handwritten:* Judge  
*Handwritten:* Judge  
**FILED**  
**DEC -9 PM 2:30**  
CLERK, U.S. DISTRICT COURT  
CENTRAL DIST. OF CALIF.  
LOS ANGELES  
*Handwritten:* BY [Signature]

1 WILLIAM TEZAK  
2 3760 W. McFadden Ave., Unit B-433  
3 Santa Ana, California 92704  
4 Telephone: (775) 525-1030  
5 Facsimile: (775) 255-4384

6  
7 Plaintiff, In Pro Se

8 UNITED STATES DISTRICT COURT  
9  
10 CENTRAL DISTRICT OF CALIFORNIA  
11  
12 SOUTHERN DIVISION

11 **WILLIAM TEZAK,**

12 **Plaintiff,**

13 **vs.**

14 **GEOFFREY T. GLASS, et. al.,**

15 **Defendants.**

11 *Handwritten:* St  
CASE NO. 13-CV-01566-JFW(PJW)

JUDGE: Hon. JOHN F. WALTER

12 **PLAINTIFF'S EXPARTE APPLICATION**  
13 **TO EXTEND TIME TO FILE FIRST**  
14 **AMENDED COMPLAINT;**  
15 **MEMORANDUM OF POINTS AND**  
16 **AUTHORITIES; AND DECLARATION**  
17 **OF WILLIAM TEZAK IN SUPPORT**  
18 **THEREOF.**

[Local Rule 19-1]

DATE: None

TIME: None

Ctrm:

Date Action Filed: October 7, 2013

Trial Date: Not Set

25 **TO THE ABOVE ENTITLED COURT, AND THEIR ATTORNEYS OF RECORD:**

26 Plaintiff hereby applies to the court for a forty-five (45) day extension of time to file the  
27 first amended complaint on January 20, 2014. This application for order to extend time is made  
28 on the grounds that due to the complexity of the issues before the court, the number of the parties

1 involved and personal/business time commitments of Plaintiff that has been prevented from  
2 meeting the pleading requirements of the court's minute order due to unforeseen and significant  
3 time constraints preventing Plaintiff from meeting this deadline. There is no prejudice to  
4 Defendants for an extension of time to file the first amended complaint since the majority of the  
5 Defendants have not been served the summons and complaint.

6 Additionally, only a few of the Defendants have been served the original complaint and  
7 therefore Plaintiff would be able to prepare a better quality first amended complaint with the  
8 additional time..

9 This Ex Parte Motion to Extend time is further made and based on the facts including: (1)  
10 only five Defendants have been served the original summons and complaint; (2) Plaintiff has been  
11 diligent in preparing the amendments to the original complaint, but for personal sickness and other  
12 business commitments; (3) Plaintiff is solely working on this matter before the court and has  
13 limited resources, and (4) in the interest of judicial economy, an extension would allow Plaintiff to  
14 meet the intent of Federal Rules of Procedure, Rule 8.

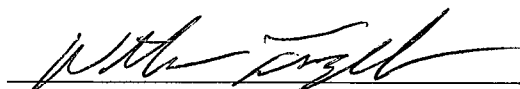
15 Good Cause exists for the relief Requested. Plaintiff would be in default of the court's  
16 order and subject to dismissal if not granted. Plaintiff has not requested such relief any time  
17 before this time and it would be in the interest of justice to grant such relief.

18 Plaintiff was not able to provide notice to the few served parties as in accordance with  
19 Local Rule 7-19, because they have not responded to the summons and complaint, but will receive  
20 such Notification of this exparte by U.S. mail.

21 This application is made will be based on this Ex Parte application to Extend time with  
22 supporting Memorandum of Points and Authorities, Declaration of William Tezak and Proposed  
23 Order granting the Application to extend time.

24  
25 Dated: December 7, 2013

Respectfully submitted,

26  
27   
28 WILLIAM TEZAK, Plaintiff, In Pro Se

1 **MEMORANDUM OF POINTS AND AUTHORITIES**

2 **Background**

3 On October 7, 2013, Plaintiff filed his original complaint.

4 On October 7, 2013, Plaintiff served two of the Defendants with the Complaint and  
5 Summons.

6 **A. Exparte Application to Extending Time**

7 Pursuant to Federal District Central Court Local Rule, **Rule 7-19**, [Exparte Application] to  
8 extend time to file First Amended Complaint

9 **CONCLUSION**

10 For the foregoing reasons, Plaintiff respectfully requests that the Court issue an order to  
11 extend time to file First Amended Complaint on or after January 20, 2014.

12 Dated: December 7, 2013

13 Respectfully submitted,

14 By:

15   
16 William Tezak, Plaintiff, In Pro Per

**DECLARATION OF WILLIAM TEZAK**

I, WILLIAM TEZAK declare, as follows:

1. I am over the age of 18 years.
2. I have personal knowledge of the fact stated in this declaration and if called as a witness, could and would testify competently to the truth of the facts as stated herein.
3. On October 7, 2013, I filed a Civil Rights complaint.
4. On or about November 11, 2013, I became aware of a General Civil Minute order based on Sua Sponte dismissal of Declarant Original Complaint with leave to amend by December 9, 2013.
5. I have been working diligently on preparation of the First amended complaint but have not been able to completely finish the first amended complaint due to the degree of compliancy and desired quality that I believe it deserves, because I had suffered minor illness in the month of November and not been able to fully devote all my time due to work on this complaint due to other obligations and personal matters requiring my attention.
6. Further, I also have a pre-paid travel for the holidays between December 12th 2013, thorough January 1, 2014 and would request Forty-five (45) day extension to complete the First Amended complaint.
7. Good cause exists due to the fact that I have not requested any previous extension of time and the interest of justice would be best served due to my Pro Se status and limited resources due to the complexity of the issues and number of parties.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

DATED: December 7, 2013

Respectfully submitted,

By:   
WILLIAM TEZAK, Plaintiff, In Pro Per

